



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION IV

611 RYAN PLAZA DRIVE, SUITE 400
ARLINGTON, TEXAS 76011-8064

October 13, 1998

EA 97-278

Charles M. Dugger, Vice President
Operations - Waterford 3
Entergy Operations, Inc.
P.O. Box B
Killona, Louisiana 70066

SUBJECT: EXERCISE OF ENFORCEMENT DISCRETION (VII.B.6 and VII.B.1) FOR
VIOLATIONS OF CONTAINMENT ISOLATION VALVE OPERABILITY
REQUIREMENTS (NRC INSPECTION REPORT 50-382/97-13)

Dear Mr. Dugger:

On September 26, 1997, the NRC informed you in a letter that we were continuing to review information that Entergy Operations, Inc. (Entergy) provided at a July 29, 1997, predecisional enforcement conference regarding the apparent inoperability of certain air-operated, dual-function containment isolation valves at Entergy's Waterford Steam Electric Station, Unit 3 (Waterford-3). Specifically, as you recall, your staff stated at the predecisional enforcement conference that there were other facilities with containment isolation valves in equivalent systems that did not have a requirement specified for dual-function containment isolation valves and that there were other facilities that did not have the ability to override an engineered safety feature actuation signal to valves, similar to the valves in question at Waterford-3.

The purpose of this letter is to inform you that the NRC's review of the potential generic applicability of this concern has confirmed the presence of similar air-operated valve configurations at other plants. Thus, although the NRC continues to believe that violations occurred at Waterford-3, as discussed below, the NRC does not intend to take enforcement action against Entergy for violations related to a condition that appears to exist at several additional facilities.

With regard to the specific containment isolation valves that prompted this case,¹ the NRC concludes that Entergy failed to ensure that the Waterford-3 facility conformed to the description in the Updated Final Safety Analysis Report (UFSAR), resulting in a failure to comply with Technical Specification requirements that containment isolation valves be operable, i.e., capable of performing their intended safety function. Specifically, for the valves in question, the UFSAR stated that "Valves isolating penetrating lines serving engineered safety feature systems are not closed automatically by the CIAS (containment isolation actuation signal), but have the ability to be closed by remote manual operation from the main control

¹Containment Isolation Valves CS-125A(B), CC-807A(B), CC-808A(B), CC-822A(B), and CC-823A(B).

room, thereby isolating any engineered feature system which malfunctions." In fact, from initial plant startup until corrected, provisions had not been made to allow these valves to be closed by remote manual operation from the control room following a containment isolation actuation signal.

During a site visit by the Chief, Branch D, Division of Reactor Projects, on July 9, 1998, it was confirmed that your staff had taken the appropriate actions to ensure that all air-operated, dual-function containment isolation valves could perform their intended function. In addition, it was also confirmed that your staff had performed a review of all containment isolation valves, regardless of the motive power, and that all valves with a dual function had been identified and the appropriate corrective actions implemented. Based on the above discussion, it appears that your staff has taken the necessary actions to correct the identified discrepancies and to ensure that the physical plant is constructed as stated in the licensing basis.

With respect to the violation involving air-operated containment isolation valves, we have determined that this violation will not be cited. In accordance with Section VII.B.6 of the NRC's "Statement of Policy and Procedure for NRC Enforcement Actions," NUREG-1600 (Enforcement Policy), the NRC is exercising enforcement discretion based on the specific circumstances of this case and will not pursue formal enforcement action for these violations. The exercise of enforcement discretion in this matter should not be construed as exempting Entergy's Waterford-3 facility from the need to take future actions as the NRC may deem necessary based on its generic review.

Subsequent to the predecisional enforcement conference conducted on July 29, 1997, the NRC became aware that your staff had identified additional valves, other than air-operated valves, that were also required to perform as dual-function containment isolation valves. The valves are the motor-operated containment sump isolation valves (SI-602A and -602B). After a review of this additional information by the onsite NRC inspectors, it was determined that Engineering Request W3-97-0323, issued on July 28, 1997, identified that Valves SI-602A and -602B were also dual-function containment isolation valves and identified that a modification of the control circuit would be needed for these valves to perform their dual-function requirements. Further review noted that a condition report had not been generated to correct this previously identified issue, until April 13, 1998, some 9 months after initial identification of the issue.

Normally, this issue would be cited as a violation of Criterion XVI of Appendix B to 10 CFR Part 50 for the failure to promptly identify and correct a condition adverse to quality. However, this licensee-identified and corrected violation is being treated as a noncited violation consistent with Section VII.B.1 of the NRC Enforcement Policy. Specifically, the violation was identified by the licensee, it was not willful, actions taken as a result of a previous violation should not have corrected this problem, and appropriate corrective actions were completed by your staff. For administrative purposes, this noncited violation will be tracked as Violation 50-382/9713-03. The corrective actions taken by your staff to address this issue are documented in NRC Inspection Report 50-382/98-12.

The NRC considers this enforcement case closed. Please contact us if you have any further questions about the matter discussed in this letter.

Sincerely,



Ellis W. Merschon
Regional Administrator

Docket No. 50-382
License No. NPF-38

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 E-Mail report to Document Control Desk (DOCDESK)
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*previously concurred

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